

REMARKS

Claims 1-33 are pending in the application.

Claims 1-33 have been rejected.

Claims 1-33 have been amended. No new matter has been added. The amendments to claims 2-8, 10-28, and 30-33, are presented for clarification purposes and to provide consistency with the independent claims from which these dependent claims depend. Applicants submit that these clarifications are not presented for any substantive reason related to patentability. These amendments are not necessary to overcome any of the outstanding rejections. Example support for the amendments to independent claims 1, 9, and 29, can be found, at least, within paragraphs [0014] and [0016].

Specification

The previous amendments stand objected to under 35 U.S.C. 132(a). The Office Action suggests that new matter is purportedly introduced into the disclosure by the previous amendments. Applicants have amended claims 1, 9, and 29 to overcome these rejections.

The Office Action states that “synchronizing a source computerized inventory management system and a target computerized inventory management system, wherein said synchronizing is bidirectional” is not supported by the original disclosure. Applicants have amended claims 1, 9, and 29 to now recite “synchronizing inventory transaction information of a computerized inventory management system.” Applicants respectfully submit that these amendments bring the claims into agreement with the originally-filed specification. As noted by the Examiner, paragraph [0005] of the Specification supports the synchronization of inventory transaction information. *See* Office Action, p.3. Further, specific support for the bidirectional synchronization of inventory transaction information can be found in paragraph [0016] of the original Application: “any inventory transaction information that occurs in the front-office needs to be synchronized with that of the back-office, and vice versa.” Application, ¶ [0016] (emphasis added). This passage reflects the bidirectional nature of the synchronization of the inventory transaction information.

Applicants respectfully submit that the amended claims overcome the stated objections of the Office Action. Thus, Applicants respectfully request the Examiner's reconsideration and withdrawal of these objections.

Rejection of Claims under 35 U.S.C. § 112

Claims 1, 9, and 29 are rejected under 35 U.S.C. 112, first paragraph, as purportedly failing to comply with the written description requirement. Applicants have amended claims 1, 9, and 29 to overcome these rejections.

Independent claims 1, 9, and 29, as amended, contain limitations of substantially the following form:

synchronizing inventory transaction information of a computerized inventory management system comprising a source computerized inventory management system executing on a first computer and a target computerized inventory management system executing on a second computer.

See, e.g., claim 1 (as amended) (emphasis added). Support for these amendments can be found throughout the originally-filed Application. Applicants cite as specific support for the amended limitations the following passages from the original Application:

For purposes of explanation, assume that a company's inventory management system includes a front-office system for customer interfacing operations. Further, assume that the company's inventory management system also includes a back-office system that includes an inventory cost accounting application, for example. (Original Application, ¶ [0014] (emphasis added))

An important type of inventory information that needs to be shared across the systems is inventory transaction information. Thus, any inventory transaction information that occurs in the front-office needs to be synchronized with that of the back-office, and vice-versa. (Original Application, ¶ [0016] (emphasis added))

These passages make clear that the claimed inventory transaction information is synchronized between the example front-office system and back-office system. The example front-office and back-office systems comprise an embodiment of the inventory management system across which the inventory transaction information is synchronized. Applicants respectfully submit that these amendments are responsive to the rejections presented in the

Office Action. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

Claims 1-8 stand rejected under 35 U.S.C. 112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action objects to an "unsuccessful" attempt to link the claimed method to a particular machine. Applicants have amended claim 1 to overcome this rejection.

Independent claim 1, as amended, contains the following limitations:

synchronizing inventory transaction information of a computerized inventory management system comprising a source computerized inventory management system executing on a first computer and a target computerized inventory management system executing on a second computer.

See, e.g., claim 1 (as amended) (emphasis added). Applicants cite as example support of the emphasized portion of the limitation, the following passages from the original Application:

For purposes of explanation, assume that a company's inventory management system includes a front-office system for customer interfacing operations. Further, assume that the company's inventory management system also includes a back-office system that includes an inventory cost accounting application, for example. The computer applications of the front-office system uses a data model that is distinct from the data model used in the back-office system's computer applications.

Original Application, ¶ [0014] (emphasis added). This passage shows that the front-office system is comprised of a computer that is executing computer applications. Similarly, the back-office system is also comprised of a computer that is executing computer applications. Applicants respectfully submit that these particular machines now provide statutory structure for the method in independent claim 1. Claims 2-8 are dependant on independent claim 1 and are patentable for similar reasons. Thus, Applicants respectfully request the Examiner's reconsideration and withdrawal of this rejection.

Claims 9 and 29 are rejected under 35 U.S.C. 112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants submit that the amended claims now overcome these rejections for reasons similar to those presented in the section 112 rejection of claims 1, 9, and 29, above. That is, Applicants' amendments clarify that the inventory

transaction information is synchronized in the claimed method. Thus, Applicants respectfully request the Examiner's reconsideration and withdrawal of these rejections.

Rejections under 35 U.S.C. § 101

Claims 1-8 stand rejected under 35 U.S.C. § 101 for purportedly being in contradiction to *In re Bilski*. Specifically, the Office Action suggests that pending Claims 1-8 are not tied to a specific machine and do not perform a transformation. The Office Action presents this rejection without any analysis of the affected claims. Applicants respectfully traverse this rejection because Claims 1-8 do indeed perform a transformation.

Applicants respectfully submit that Claim 1 satisfies the machine-or-transformation test governing patent eligibility under § 101 because Claim 1 explicitly transforms the data and that transformation is not mere extra-solution activity. In the cited *In re Bilski* decision, the Federal Circuit noted that data transformations of the type claimed are patentable. The Federal Circuit noted that “[w]e further note for clarity that the electronic transformation of the data itself into a visual depiction in *Abele* was sufficient; the claim was not required to involve any transformation of the underlying physical object that the data represented.” *In re Bilski* (citing *In re Abele*, 684 F.2d 902, 907, 214 USPQ 682, 687 (CCPA 1982) (emphasis added)). Applicants submit that the claimed transformation of data from a source format into an intermediate format is analogous to the favorably-noted transformation of data in *Abele*.

Claim 1 recites a method that first extracts inventory transaction information. The inventory transaction information is then converted from a source format into an intermediate format. The data in the intermediate format is subsequently transformed again from the intermediate format to a target format. Thus, as in *Abele*, data is electronically transformed.

The transformations of data in Claim 1 are not mere extra-solution activity because the transformations are central to the claim. This is to say that if the transformation from a source format into an intermediate format were not performed, the claim would obviously lose its meaning. Further, transformations to and from the intermediate format is desirable to avoid compatibility issues arising between the source and target systems. *See, e.g.*, Application, ¶¶ [0005], [0015], [0039], and [0046].

Thus, Applicants submit that claim 1 satisfies the machine-or-transformation test determining patent eligibility of a process under § 101 and that this rejection is overcome. Applicants respectfully request the Examiner's reconsideration and withdrawal of the rejection of claims 1-8 on this basis.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-33 are rejected under 35 U.S.C. 103(a) as being purportedly unpatentable over U.S. Patent No. 5,758,355, issued to Buchanan ("Buchanan"). Applicants respectfully traverse this rejection.

Independent claims 1, 9, and 29, as amended, include limitations of substantially the following form:

synchronizing a source computerized inventory management system and a target computerized inventory management system, wherein said synchronizing is bidirectional, and said synchronizing comprises
 extracting inventory transaction information in a source format that is associated with a source computerized inventory management system;
 converting the inventory transaction information in the source format into inventory transaction information that is in an intermediate format; and
 converting the inventory transaction information in the intermediate format into inventory transaction information in a target format that corresponds to a target computerized inventory management system.

See, e.g., claim 1 (as amended) (emphasis added). Applicants submit that the cited sections of Buchanan fail to teach or contemplate, at least, (1) extracting inventory transaction information in a source format; (2) converting the inventory transaction information in the source format into inventory transaction information that is in an intermediate format; and (3) converting the inventory transaction information in the intermediate format into inventory transaction information in a target format.

The Office Action cites Buchanan for the purported disclosure of the bidirectional synchronization limitations. *See* Office Action, pp.5-6. But there is no disclosure within the cited passages of Buchanan related to the claimed extraction of inventory transaction information and the subsequent two, distinct conversions. Nor does the Office Action even suggest that the cited sections of Buchanan provide such disclosure. In fact, the Office Action fails to cite to any

section of Buchanan as purported disclosure of these limitations. In order to anticipate a claim, a reference or combination of references must recite each limitation of the claims at issue.

In Buchanan's system, there is no suggestion that the data formats between the server and client are converted during purported synchronization. On the contrary, the cited passages of Buchanan show a server that is directly coupled to a client. *See* Buchanan, Figure 1. Further, in Buchanan's system, "during synchronization, the server database is updated with information entered on the client computers, and conversely, the client computers are updated with new information entered on the server computer." Buchanan, 4:32-36. There is no suggestion that conversions of any kind will be necessary in the communication between the server and the client, let alone a conversion to an intermediate format, as claimed.

Since there is no teaching or contemplation within the cited passages of Buchanan of any conversion of information between the server and client, it cannot be said that Buchanan teaches or contemplates the claimed converting of inventory transaction information in the source format into inventory transaction information that is in an intermediate format; and converting the inventory transaction information in the intermediate format into inventory transaction information in a target format.

For at least these reasons, Applicants submit that the cited sections of Buchanan do not provide disclosure of all the elements of independent claims 1, 9, and 29, and all dependent claims therefrom, and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

/Jonathan N. Geld/

Jonathan N. Geld
Attorney for Applicants
Reg. No. 44,702
(512) 439-5090 [Phone]
(512) 439-5099 [Fax]